

Hansen Partnership Pty Ltd Level 4, 136 Exhibition Street MelbourneVIC3000

info@hansen-online.com.au

Dear Sir/Madam,

Application No.: T150659 - 1
Property No.: 1446452000

Address: L1 TP135565, 224 Kenilworth Avenue, Beaconsfield Victoria 3807

Proposal: Subdivision of the land in stages and the creation of easements, generally in

accordance with the approved plans

I refer to the above planning permit and your application to amend the permit and endorse plans.

I wish to advise that your application to amend the planning permit has been approved.

Please find enclosed your copy of the amended permit and endorsed plans. This permit now supersedes the previously issued permit.

This permit should be kept in a safe place for future reference.

If you have any further queries regarding this matter, please contact Council's Development Services department on **5943 4508** or mail@cardinia.vic.gov.au

Yours faithfully,

Stephen Powell

Senior Growth Area Planner





Web:

Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

ADDRESS OF THE LAND:

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THIS PERMIT ALLOWS:

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Date amended:	What has been amended?	Responsible Authority
3 January 2017	Amendment to Condition 7;	
	Amendment to the permit preamble; and	
	The creation of easement (sewer and drainage).	

THE FOLLOWING CONDITIONS WILL APPLY TO THE PERMIT:

- 1. Before the plan of subdivision for the first stage of development is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and one (1) copy must be provided. The plans must be generally in accordance with the plans submitted with the application (prepared by Rodney Aujard and Associates, Survey Reference 18545, dated 15 March 2016) but modified to show:
 - a) The location of electrical substations/kiosks.
 - b) The telecommunications optical fibre cable network (or superior technology) for the subdivision. This can be shown indicatively on the plan or as a notation on the plan.
 - c) The location of cross-overs for each lot.

To the satisfaction of the Responsible Authority.

- 2. The layout of the subdivision, as shown on the endorsed plan/s, must not be altered or modified without the consent in writing of the Responsible Authority.
- 3. The subdivision of the land must proceed in the order of stages shown on the endorsed plans except with the prior written consent of the Responsible Authority.
- 4. Once the development of each stage has commenced, that stage must be continued and completed to the satisfaction of the Responsible Authority.
- 5. Before the plan of subdivision for the first stage of development is certified under the *Subdivision Act* 1988, the permit holder must:
 - a) Demonstrate that all existing septic tank and septic tank systems (including fittings and fixtures) have been removed. The tank contents must be pumped out and the existing waste water treatment system must be decommissioned by a plumber.
 - b) Submit to Council for approval street and road names proposed for the subdivision.

Date Issued: 7 October 2016
Date Amended: 10 January 2017

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Signature for the Responsible Authority: Page 1 of 22

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6. Before the plan of subdivision for the first stage of development is certified under the *Subdivision Act 1988*, or any other time agreed to in writing by the Responsible Authority, an amended Public Infrastructure Plan (PIP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the PIP must be implemented to the satisfaction of the Responsible Authority.

The PIP must show the proposed location, type, staging and timing of delivery of all infrastructure on the land which is identified in the Officer Precinct Structure Plan and Development Contributions Plan (2011), or which is otherwise reasonably required on or to the land or on any other land as a result of the subdivision of the land. Without limiting the extent of what must be shown on and in the PIP it must include the following to the satisfaction of the Responsible Authority:

- a) Construction of Kenilworth Avenue upgrade to a Connector Street Constrained Type 3 (Section 4c).
- b) The land which is required to be set aside for infrastructure identified in the DCP or the PSP including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the DCP.
- c) An estimate of the extent of equalisation which is required in respect of public open space to be provided having regard to the PSP and the DCP.
- d) Subject to the consent of the Collecting Agency, any infrastructure works set out in the DCP which can be provided 'in lieu' of development contributions in accordance with the DCP.
- e) The effects of the provision of infrastructure on the land or any other land.
- f) Any other relevant matter related to the provision of infrastructure reasonably required by the Responsible Authority.

The PIP may be amended with the written consent of the Responsible Authority.

- 7. Before a statement of compliance is issued for the second stage of the subdivision under the Subdivision Act 1988, Kenilworth Avenue must be constructed in accordance with the road cross section nominated in the Officer Precinct Structure plans, extending from Brunt Road to the west property boundary, in accordance with plans and specification approved by and to the satisfaction of the Responsible Authority.
- 8. Before the plan of subdivision for the first stage of development is certified under the Subdivision Act 1988, a landscape masterplan for the entire estate to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the

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plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and one (1) copy must be provided in an approved electronic format. The plan must show and include:

- a) Key themes, landscape principles and character that will define the subdivision.
- b) The type of species to be used for street tree planting in various stages of the subdivision.
- c) The plant schedule must be consistent with adjoining sites where roads are continued through.
- d) The areas which will be available for landscaping.
- e) Entrance treatments.
- f) The principles and graphical concepts of the proposed treatment of the open space and drainage reserves; and
- g) How any landscape requirements or guidelines within the Officer *Precinct Structure Plan* are proposed to be implemented.
- h) Existing features and site contours (levels) and any proposed changes to existing levels including any structural elements such as batters or retaining walls.
- 9. Before the submission and approval of detailed design construction plans (engineering plans) and before the plan of subdivision for the first stage of development is certified under the *Subdivision Act 1988*, a *functional layout plan* for the subdivision or stage of subdivision, generally in accordance with the standards nominated in the Cardinia Shire Council "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the Water Sensitive Urban Design (WSUD) Guidelines, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority.

When approved, the *functional layout plan* will be endorsed and will then form part of the permit. Three copies of the *functional layout plan* must be drawn to a scale of 1:500 to acceptable drafting standards and an electronic copy (pdf) must be provided.

The functional layout plan must show (where appropriate):

- a) A fully dimensioned subdivision layout, including proposed street names, approximate lot areas, lot numbers and widths of street reservations,
- b) Topography and existing features, including contours for the subject land and any affected adjacent land,

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c) Identification by survey of all trees (or group of trees) existing on the subject land, including dead trees and those that overhang the subject land from adjoining land,

- d) Details of tree protection zones (TPZs) for all trees to be retained on the subject land,
- e) All trees proposed for removal from the subject land clearly designated,
- f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Development Plan,
- g) Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls,
- h) The proposed minor drainage network and any spatial features requiring access,
- i) The major drainage system, including any watercourse, lake, wetland, sediment pond rain gardens, bio-infiltration system and/or piped elements showing preliminary sizing,
- j) Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination.
- k) Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance,
- I) A table of offsets for all utility services and street trees,
- m) Preliminary location of reserves for electrical kiosks.
- n) Drainage and sewerage outfalls including any easements required over other property.
- o) Traffic management plan showing sufficient notional (unmarked) on-street car parking spaces, at the rate of one space per lot, traffic control devices and large vehicle turning overlays.

Note: Land that are not adjacent to existing or approved infrastructure will be required to show the following information in addition to the above standard requirements:

- p) The relationship between the subject subdivision stage and surrounding land.
- q) Proposed linkages to future streets, open space, regional path network and upstream drainage.

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10. Before the plan of subdivision for the first stage of development is certified under the *Subdivision Act* 1988, building design guidelines and fencing controls for all lots to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The guidelines must address the housing planning and design guidelines of the Officer Precinct Structure Plan (2011) and provide for the following to the satisfaction of the Responsible Authority:

- a) Building envelopes for lots greater than 300sqm, which are generally in accordance with the standards of Clause 56.04-2 of the Cardinia Planning Scheme. No building or part of a building may be constructed outside of a building envelope unless with the written consent of the Responsible Authority.
- b) Fencing treatments which show:
 - Boundary fencing for all lots;
 - Minimal fencing along street boundaries and corner lots;
 - An avoidance of fencing for lots fronting onto public spaces-
 - Any front fencing opposite the rail corridor for dwellings fronting Kenilworth Avenue to comply with Section 4.2.3 Planning and Design Guidelines of the Officer Precinct Structure Plan including front fencing to be visually transparent and have a maximum height of 1.2 metres.
- c) Details about the width of frontages and garages as a ratio to ensure that garages do not dominate the streetscape.
- d) Garages located on the primary street frontage setback at equal or greater distance to that of the dwelling.
- e) Details about dwelling, fence and garage design to specifically address corner lots, irregularly shaped lots and lots facing public open space.
- f) Measures to produce an attractive streetscape including the siting and design of dwellings, garages, fencing and landscaping.
- g) Retaining walls visible to the public must be tapered to work with the natural topography. Land cut and fill must be kept to a minimum. Design, material and colour selection for visible retaining walls must complement the building design and external colour scheme.

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h) The implementation of the recommendations and noise attenuation measures outlined in the Rail Noise Vibration Assessment prepared by SLR Global Environmental Solutions (Report Number: 640.11243-R1, dated 12 April 2016):

The building design guidelines and fencing controls must be implemented in the form of either a notice of restriction or through an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 on the certified plan of subdivision, and recorded on the Certificate of Title of the land. The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

The restriction or agreement relating to the building envelope must cease to apply to any lot affected by the building envelope after the issue of a Certificate of Occupancy (or the like) under the Building Act 1993 for the whole of a dwelling on the lot to which the building envelope applies or at any other time which is specified in the restriction or agreement.

- 11. Before the plan of subdivision is certified for any stage of development under the *Subdivision Act* 1988, a Stage 2 Detailed Site Investigation Report as recommended in the submitted Stage 1 Preliminary Investigation Report prepared by Cardno (dated June 2016, Reference 21500Report1.2), by a suitably qualified environmental engineer (or equivalent) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must address and make recommendations on the following matters:
 - a) Testing of soils with any staining including:
 - (i) The excavated soil within the waste pit located south-west for the dwelling on the land; and
 - (ii) The soils beneath the septic tank system and the soils stockpiled from the septic tank excavations to assess whether they can be re-used on-site or if they should be deposited to an off-site landfill facility.
 - b) Remediation measures to deal with the removal of any contamination and the removal of the septic tank systems;
 - c) The nature of the previous and existing land use / activities on the land.
 - d) An assessment of the potential level and nature of contamination on the land.
 - e) Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

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f) Advice on whether an Environmental Audit is required.

- 12. Before the plan of subdivision is certified for any stage of development under the Subdivision Act 1988, If the Stage 2 Site Investigation Report required by Condition 12 recommends an environmental audit of all or part of the land, then:
 - a) Before the commencement of any use for a sensitive purpose; or
 - b) Before any buildings or works; or
 - c) Before the certification of a plan of subdivision;

whichever is the earlier in respect of all or that part of the land as the case may be, the following must be provided to the Responsible Authority:

- a) A Certificate of Environmental Audit issued for the relevant land in accordance with Part 1XD of the *Environment Protection Act 1970*; or
- b) A Statement of Environmental Audit issued for the relevant land in accordance with Part 1XD of the *Environment Protection Act 1970* stating that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site).
- 13. Before the plan of subdivision is certified for any stage of development under the *Subdivision Act* 1988, if a Statement of Environmental Audit is required, all conditions of the Statement of Environmental Audit for the land must be complied with to the satisfaction of the Responsible Authority. Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the Responsible Authority. In addition sign off must be in accordance with any requirements in the Statement conditions regarding verification of works.
- 14. Before the plan of subdivision is certified for any stage of development under the Subdivision Act 1988, if an environmental audit is not required, all recommendations contained in the Stage 1 Preliminary Site Investigation Report prepared by Cardno (dated June 2016, Reference 21500Report1.2), and the Stage 2 Detailed Site Investigation Report must be carried out and validation of effective clean-up must be provided in writing by a suitable qualified Environmental Scientist to the satisfaction of the Responsible Authority.

Requirements before Statement of Compliance:

15. Before a Statement of Compliance is issued for any stage of development under the Subdivision Act 1988, if a Statement of Environment Audit is required and on-going maintenance of the land is required in order to comply with conditions of the audit, the owner of the land must enter into a Section 173 Agreement under the Planning and Environment Act 1987. The Agreement must

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provide for the ongoing maintenance and/or monitoring of conditions contained on any Statement of Environment Audit. The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

- 16. A Development Infrastructure Levy must be paid to the Collecting Agency being Cardinia Shire Council in accordance with the provisions of the approved Officer Development Contributions Plan. The Development Infrastructure Levy must be paid to the Collecting Agency within the time specified in the Officer Development Contributions Plan. If no time is specified in the Officer Development Contributions Plan, the Development Infrastructure Levy must be paid to the Collecting Agency, being Cardinia Shire Council after certification of the relevant plan of subdivision, but not more than 21 days prior to the issue of a statement of compliance.
- 17. Before a statement of compliance is issued for the subdivision under the Subdivision Act 1988 or at a time otherwise specified in a Section 173 agreement registered on the certificate of title to the land, a public open space contribution must be made to Cardinia Shire Council as a cash payment in respect of that stage. The cash payment is to be equivalent to the value of the percentage of Net Developable Area of the land in that stage as set out in the Schedule to Clause 52.01 of the Cardinia Planning Scheme.
- 18. Before a statement of compliance is issued for each stage of the subdivision under the Subdivision Act 1988, a detailed landscape plan to the satisfaction of the Responsible Authority (Parks and Gardens) must be submitted to and approved by the Responsible Authority. The detailed landscape plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn must be drawn to scale with dimensions and one (1) copy must be provided in an approved electronic format. The plan must be consistent with the endorsed landscape master plan and must show and include to the satisfaction of the Responsible Authority:
 - a) New plantings, including their layout to be provided in any road reserves and municipal reserves.
 - b) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule must be consistent with adjoining sites where roads are continued through.
 - c) A detailed plan showing trees to be removed and trees to be retained. The plan must show the tree protection zones around the trees to be retained.
 - d) The proposed layout, materials and finishes of paths, areas of pavement, playgrounds, play items, structures and street furniture.

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e) The proposed road reservation widths and the treatment of interfaces with surrounding road reserves, including areas within the road reserves set aside for the retention of existing vegetation.

- f) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
- g) Additional supporting information, such as certified structural designs or building forms of fencing, feature walls and the like.
- h) The removal of existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds.
- i) The layout of street tree and reserve plantings using semi-mature trees, with minimum container size of 45 litres.
- j) The implementation of any landscape principles and guidelines contained in the Officer Precinct Structure Plan.
- k) Existing features and site contours (levels) and any proposed changes to existing levels including any structural elements such as batters or retaining walls.
- 19. Before a statement of compliance is issued for each stage of the subdivision under the Subdivision Act 1988, the landscape works shown on the approved detailed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority or by agreement with the Responsible Authority, bond landscaping works incomplete at the completion of civil works. Payment can be made in the form of a cash bond or bank guarantee to the value of 100% (can you please check it is still 100%?) of the landscaping works. The bond will be released upon satisfactory completion of works.
- 20. Before a statement of compliance is issued for each stage of the subdivision under the Subdivision Act 1988, bonding must be provided to the Responsible Authority to cover all landscaping works for a twenty four (24) month maintenance period. A Certificate of Final Completion will be issued by the Responsible Authority and the bond released, less any moneys retained for imperfect works, at the end of the quarter for the period in which the twenty four (24) month maintenance period concludes, following the satisfactory completion and satisfactory maintenance of the landscaping. (Please note a Certificate of Practical Completion for street trees will not be issued during the period of November 1st to March 31st).
- 21. Before a statement of compliance is issued for the first stage of subdivision under the Planning and Environment Act 1988, the following must be completed to the satisfaction of the Responsible Authority:

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a) The existing dwelling and all outbuildings must be removed and decommissioned from the land;

- b) The existing vehicle crossing to be removed and the ground surface reinstated; and
- c) A certificate from a geotechnical engineer must be submitted to the Responsible Authority certifying that the filling of any dam on the land has been undertaken in accordance with acceptable engineering standards.
- 22. Before a statement of compliance is issued for each stage of the subdivision under the Subdivision Act 1988, the following must be completed to the satisfaction of the Responsible Authority:
 - a) All road and drainage infrastructure must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority. The works must comply with the standards nominated in the Cardinia Shire Council documents "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the "Water Sensitive Urban Design (WSUD) Guidelines".
 - b) All street lighting and pedestrian / cycle paths must be designed and constructed in accordance with Australian Standard 1158.1.
 - c) Outfall drainage must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority and Melbourne Water.
 - d) Appropriate drainage connection points must be provided and residential standard concrete vehicle crossing/s as shown on the approved plan constructed for each lot.
 - e) CCTV results for the full length of all stormwater drainage pipes where Cardinia Shire Council is the Responsible Authority must be submitted to the Responsible Authority for assessment.
 - f) "As constructed" digital road and drainage information in AutoCAD format with all Xrefs binded into the drawings and showing any amendments during construction, must be submitted for all civil works where Council is the Responsibility Authority.
 - g) The existing dam filled with all works carried out in compliance with the relevant standards and codes and to the satisfaction of the Responsible Authority. Compaction testing must be carried out in accordance with Australian Standard 1289.5.8 by NATA registered laboratory and all results must be submitted to the Responsible Authority.

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h) Telecommunications fibre must be provided to the premises (FTTP) to network the lots (including all pits, pipes, conduits, active equipment, equipment shelters and optical fibre cables).

- The telecommunications optical fibre cable network (or superior technology) must be provided to the lots.
- Written confirmation must be provided to the Responsible Authority from:
 - a telecommunications network or service provider that all lots are connected to or are (i) ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre;
- 23. Before a statement of compliance is issued for any stage of the subdivision under the Subdivision Act 1988, the landowner must enter into a legally binding agreement (or an alternative agreement approved by DELWP) for the payment to implement the Officer Precinct Structure Plan: Cardinia Creek Conservation Management Plan (8 September 2011) in accordance with Section 2.3.1 Management Responsibilities and Funding and Appendix 8 to the satisfaction of the Department of Environment, Land, Water & Planning (formally the DSE)). The landowner must pay the reasonable costs of the preparation, execution and registration of the agreement.
- 24. Before a statement of compliance is issued for each stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide Council with written confirmation from a suitably qualified professional that the requirements of Clause 56.09-3 (Fire Hydrants Objectives Standard C29) of the Cardinia Planning Scheme have been provided on the land.
- 25. Before a statement of compliance is issued under the Subdivision Act 1988 for the relevant stage, a certificate from a geotechnical engineer must be submitted to the Responsible Authority certifying that the filling of any dam on the land has been undertaken in accordance with acceptable engineering standards.

General Conditions:

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26 At least 14 days before any works commence on the site, a site specific Construction Engineering

- 26. At least 14 days before any works commence on the site, a site specific Construction Engineering Environmental Management Plan (CEEMP) prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEEMP. The CEEMP must address all environmental risks including:
 - a) Temporary stormwater management including sedimentation control.
 - b) Pollution and contamination controls including noise and dust.
 - c) Location of stockpiles and stockpile management.
 - d) Location of site office and facilities.
 - e) Equipment, materials and goods management.
 - f) Tree protection zones, trees to be retained and trees to be removed.
- 27. All roads used for the purpose of haulage of imported or exported materials for construction must be:
 - a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use,
 - b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, or as requested by the Responsible Authority if the road deteriorates during the haulage period, and
 - c) Reinstated to the satisfaction of the Responsible Authority.
- 28. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses
- 29. Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- 30. Any construction stockpiles, fill and machinery must be placed away from areas supporting native vegetation and drainage lines to the satisfaction of the Responsible Authority.
- 31. All earthworks must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the Responsible Authority.
- 32. All filling of the land over 300mm in depth on the land must be carried out, completed and recorded to the satisfaction of the Responsible Authority and in accordance with:

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Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

ADDRESS OF THE LAND:

L1 TP135565, 224 Kenilworth Avenue, Beaconsfield Victoria 3807

THIS PERMIT ALLOWS:

Subdivision of the land in stages and the creation of easements, generally in

accordance with the approved plans

a) The approved Site EMP; and

- b) Australian Standard AS 3798 2007 (Guidelines on earthworks for commercial and residential developments).
- 33. Stormwater must not be discharged from the land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
- 34. Stormwater works must be provided on the land so as to prevent overflows onto adjacent properties to the satisfaction of the Responsible Authority.
- 35. Earthworks must be undertaken in a manner that minimises soil erosion to the satisfaction of the Responsible Authority. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
- 36. The permit holder must notify Council's Open Space Department a minimum of seven (7) days prior to commencing street tree planting and landscaping so that surveillance of the works can be undertaken.
- 37. The subdivision works must be carried out in a manner which is consistent with the recommendations set out in the Preliminary Site Investigation prepared by Cardno (dated June 2016, Reference 21500Report1.2), to the satisfaction of the Responsible Authority.
- 38. The subdivision works must be carried out in a manner which is consistent with the recommendations set out in the Preliminary Site Investigation prepared by Cardno (dated June 2016, Reference 21500Report1.2), to the satisfaction of the Responsible Authority. This includes the decommissioning of all on-site groundwater monitoring bores by a licensed driller (under the Southern Rural Water guidelines) prior to the development commencing to prevent potential future contamination of the groundwater.
- 39. All powerlines are to be provided underground to the satisfaction of the Responsible Authority.
- 40. Reflective street number markers must be provided on the kerb in front of each lot to the satisfaction of the Responsible Authority.
- 41. All optical fibre conduit and associated infrastructure must be protected from damage to satisfaction of the Responsible Authority.

42. Any:

Date Issued: 7 October 2016 Date Amended: 10 January 2017

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Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

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......

- a) Works carried out in respect of any subdivision;
- b) Construction of buildings and associated works; and
- c) Removal, lopping or destruction of native vegetation on the land as authorised by the Native Vegetation Precinct Plan (NVPP) applying to the land –

must be carried out in accordance with all of the requirements set out in the incorporated NVPP applying to the land to the satisfaction of the Responsible Authority.

Only native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.

Before the removal, destruction or lopping of any native vegetation, native vegetation to be removed in accordance with this NVPP must be clearly marked on site to the satisfaction of the Responsible Authority whilst works are being undertaken within the vicinity.

Before the removal, destruction or lopping of any native vegetation within any property (identified by the Property Number Map 1 of the Officer NVPP), the owner of the land must provide offsets consistent with the incorporated NVPP by either:

- a) Providing an allocated credit extract issued by the Department of Sustainability and Environment; or
- b) Preparing and submitting an Offset Plan to the satisfaction of the Department of Sustainability and Environment and have the Offset Plan approved by Responsible Authority.

Where an Offset Plan is approved:

- a) Before the removal, destruction or lopping of any native vegetation, the owner of the land from which the native vegetation is being removed must provide on-title security for the Offset Site to the satisfaction of Department of Sustainability and Environment that provides for the implementation of the Offset Plan and pay the reasonable costs of the preparation, execution and registration of any on-title agreement; and
- b) Offsets must be initiated within 12 months of approval of the Offset Plan or before the removal of Very High Conservation Significance vegetation, whichever is earlier, and be implemented according to the schedule of works in the Officer Plan to the satisfaction of the Responsible Authority.
- 43. Before the development starts, a Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible

Date Issued: 7 October 2016
Date Amended: 10 January 2017

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Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

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Authority. The CEMP must specifically address significant flora and fauna where the buildings or works are within:

- a) 50 metres of any native vegetation to be retained in the Officer *Native Vegetation Precinct Plan*; and / or
- b) 100 metres of any water body (including creeks, drains, dams and wetlands) under the provisions of the Officer Precinct Structure Plan *Conservation Management Plan* (excluding Cardinia Creek) (15 September 2011).

The CEMP must address all requirements specified in the Officer Native Vegetation Precinct Plan (2011) and the relevant Conservation Management Plan to the satisfaction of the Responsible Authority.

- 44. The actions which identify the responsible agent as the "landowner" or "developer" in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.
- 45. Before the commencement of works within 50 metres of native vegetation identified as to be protected in the NVPP applying to the land, a highly visible vegetation protection fence must be erected around the protection area of each scattered tree and more than 2 metres from areas of all other native vegetation which have been identified as to be protected unless otherwise agreed to in writing by the Department of Sustainability & Environment. Within the fence, no placement of filling, storage of materials or machinery is permitted.
- 46. Any construction stockpiles, fill and machinery must be placed away from areas supporting native vegetation and drainage lines to the satisfaction of the Responsible Authority.
- 47. No earthworks, compaction or modification of existing drainage patterns may be undertaken which present a risk to any remnant trees, understorey or revegetated areas.
- 48. Only native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.
- 49. Where dams are to be filled, the works must be carried out in compliance with the relevant standards and codes and to the satisfaction of the Responsible Authority. Compaction testing must be carried out in accordance with Australian Standard 1289.5.8 by NATA registered laboratory and all results must be submitted to the Responsible Authority.
- 50. The owner of the land must enter into an agreement with:

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Date Amended: 10 January 2017

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Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

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a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

- b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 51. The permit holder must within four (4) weeks of the registration of the plans at the Land Titles Office send to the Responsible Authority:
 - a) A Certificate of Title for all land vested in the Responsible Authority on the Plan of Subdivision.
 - b) A clear A-3 size photocopy of the Title Office approved Plan of Subdivision.

Melbourne Water:

- 52. Pollution and / or sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
- 53. All new lots are to be filled to a minimum of 300mm above the 1 in 100 year flood level associated with an existing or proposed Melbourne Water pipeline and major overland flowpath; and 600mm above the 1 in 100 year flood level associated with any Melbourne Water retarding basin, waterway, wetland; whichever is greater.
- 54. All new lots must achieve appropriate freeboard in relation to any local overland flow paths to Council's satisfaction.
- 55. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
- 56. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria either as outlined in Melbourne Water's Land Development Manual, or where appropriate to Council's requirements and standards.
- 57. Prior to Certification of the subdivision:
 - a) The Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

Date Issued: 7 October 2016
Date Amended: 10 January 2017

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Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

ADDRESS OF THE LAND:

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b) Easements and/or reserves must be shown on the Plan of Subdivision and must be created over any proposed Melbourne Water assets to the satisfaction of Melbourne Water.

- c) A Drainage and Storm Water Management Strategy for the overall development, including any designs and relevant supporting information of the waterway adjacent to the development, shall be provided to Melbourne Water for review/acceptance.
- d) Copy of Council's acceptance of the SWMS for any assets under Council's maintenance shall be provided to Melbourne Water for our records.
- e) The Developer must ensure adequate outfall from the site. A copy of written approval from the relevant affected parties to the satisfaction of Council for the arrangement of appropriate drainage outfall for the subdivision must be provided to Melbourne Water.
- f) Where relevant, copy of Council's acceptance for any assets under Council's maintenance shall be provided to Melbourne Water for our records.
- g) A drainage layout plan for the development must be submitted to Melbourne Water demonstrating the proposed alignment for the 1 in 5 year ARI flows and drainage infrastructure and the overland flow paths directions for the 1 in 100 year ARI flood event. The layout plan of the development must include location of temporary treatment measures controlling of stormwater runoff where necessary should permanent infrastructures are not in place catering for the development outfall.

58. Prior to commencement of works:

- a) A separate application direct to Melbourne Water's Asset Services team must be made for formal approval: for any stormwater connection to a Melbourne Water asset; before building, planting or installing utility works over, or near, any of Melbourne Water's assets. Asset Services team can be contacted on telephone 9679 6614 or email via assetservices@melbournewater.com.au mailto:assetservices@melbournewater.com.au
- b) At least 21 days prior to commencement of works, a Site Management Plan detailing pollution and sediment control measures, must be submitted to Melbourne Water.

59. Prior to the issue of a Statement of Compliance for the subdivision:

a) The Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.

Date Issued: 7 October 2016 Date Amended: 10 January 2017

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Signature for the Responsible Authority: Page 17 of 22

Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

ADDRESS OF THE LAND:

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b) Engineering plans of the development (in electronic format) are to be forwarded to Melbourne Water for comment/approval. A Certified Survey Plan may be required following our comments on the engineering drawings.

- c) If a Certified Survey Plan is required, the CSP prepared by or under the supervision of a licensed land surveyor, showing levels reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the land has been filled in accordance with Melbourne Water's requirements. The CSP must show 1 in 100 year flood levels and extents associated with any existing or constructed Melbourne Water asset.
- d) The submission of as constructed flood mapping information may also be required of 1 in 100 year ARI flood levels.
- e) Evidence confirming that the entire development has a free draining outfall to the satisfaction of Melbourne Water and Council.

AusNet:

60. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.

The applicant must -

- 61. Enter into an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
- 62. Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
- 63. Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as my be agreed by AusNet Electricity Services Pty Ltd.
- 64. Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the *Electricity Industry Act 2000*, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- 65. Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.

66. Adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the

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Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

PLANNING PERMIT NUMBER: T150659-1

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position of the electricity line(s) as determined by survey.

- 67. Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for electric substations.
- 68. Provide survey plans for electric substations required by AusNet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AusNet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the *Transfer of Land Act* prior to the registration of the plan of subdivision.
- 69. Provide to AusNet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- 70. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd. Individual generators musty be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the *Electricity Safety Act* 1998.
- 71. Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

South East Water:

- 72. The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.
- 73. The owner of the subject land must enter into an agreement with South East Water for the provision of recycled water supply and fulfil all requirements to its satisfaction.
- 74. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.
- 75. All lots on the Plan of Subdivision are to be provided with separate connections to our potable water supply, recycled water supply and sewerage systems.
- 76. Prior to certification, the Plan of Subdivision must be referred to South East Water in accordance with Section 8 of the Subdivision Act 1988.

APA Group:

77. Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.

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Date Amended: 10 January 2017

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78. The plan of subdivision submitted for certification must be referred to APT O&M Services Ptv Ltd

78. The plan of subdivision submitted for certification must be referred to APT 0&M Services Pty Ltd, in accordance with Section 8 of the Subdivision Act 1988.

Expiry of permit:

This permit will expire if:

- a) The plan of subdivision for the first stage is not certified within **two (2) years** of the date of this permit; or
- b) The plan of subdivision for the last stage of the subdivision is not certified within **10 years** of the date of this permit; or
- c) The registration of the last stage of the subdivision is not completed within **five (5) years** from the date of certification of that plan of subdivision.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with section 69 of the *Planning and Environment Act* 1987.

Permit Notes:

General:

 A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.

Melbourne Water:

• If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 274999.

Ausnet:

- It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).
- Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.

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Date Amended: 10 January 2017

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Signature for the Responsible Authority: Page 20 of 22

Planning Scheme: Responsible Authority: Cardinia Planning Scheme Cardinia Shire Council

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ADDRESS OF THE LAND:

L1 TP135565, 224 Kenilworth Avenue, Beaconsfield Victoria 3807

THIS PERMIT ALLOWS:

accordance with the approved plans

• Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.

South East Water:

- The owner of the subject land is required to obtain a 'Notice of Agreement' from South East Water.
 All requirements must be fulfilled to its satisfaction prior to South East Water consenting to the issuing of a Statement of Compliance.
- The following South East Water agreement options are available:
 - Application to enter into a Development Agreement-Works If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development.
 - 2. Application For Notice of Agreement Subdivision-Non Works If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building)
 - 3. Plumbing Industrial, Commercial, Units & Private Water application If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e building prior to subdivision)
 - 4. The works must not disturb or interfere with the existing sewerage disposal system on the property. If the location of the existing sewerage disposal system needs to be varied, then approval must be obtained from the Responsible Authority.

Please note the timeframes detailed in the 'Expiry of Permit' relate to the Date Issued, not the Date Amended.

Date Issued: 7 October 2016
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Signature for the Responsible Authority: Page 21 of 22

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the Planning and Environment Act 1987.)

WHEN DOES A PERMIT BEGIN?

A PERMIT OPERATES:

- a) From the date specified in the permit, or
- b) If no date is specified; from:
 - The date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - ii. The date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

A PERMIT FOR THE DEVELOPMENT OF LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) The development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two (2) years of the issue of the permit, unless the permit contains a different provision, or
- c) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in case of a subdivision or consolidation within five (5) years of the certification of the certification of the plan of subdivision or consolidation under the *Subdivision Act* 1988.

A PERMIT FOR THE USE OF LAND EXPIRES IF:

- a) The use does not start within the time specified in the permit, or if no time is specified, within two (2) years of the issue of within two years after the issue of the permit; or
- b) The use is discontinued for a period of two (2) years.

A PERMIT FOR THE DEVELOPMENT AND USE OF THE LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified within two years after the issue of the permit.
- c) The use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
- d) The use is discontinued for a period of two (2) years.

If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in <u>section</u> <u>6A(2)</u> of the <u>Planning and Environment Act 1987</u>, or to any combination of use, development or any of those circumstances requires the certification of a plan under the <u>Subdivision Act 1988</u>, unless the permit contains a different provision:

- a) The use or development of any stage is to be taken to have started when the
- b) Plan is certified; and
- c) The permit expires if the plan is not certified within two years of the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.

An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.

An application for review is lodged with the Victorian Civil and Administrative Tribunal.

An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.

An application for review must state the grounds upon which it is based.

An application for review must also be served on the Responsible Authority.

Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal

Victoria Civil and Administrative Tribunal, Planning List 55 King Street, MELBOURNE VIC 3000 Ph (03) 9628 9777 Fax: (03) 9628 9789

PLAN OF SUBDIVISION FOR No. 224 KENILWORTH AVENUE **BEACONSFIELD** CROWN ALLOTMENT 31 (Part) PARISH OF PAKENHAM

> SCALE 1:800 METRIC ORIGINAL SHEET SIZE (A-2)

APPROVED AMENDED PLAN

PLANNING AND ENVIRONMENT ACT 1987 CARDINIA PLANNING SCHEME

T150659-1 PERMIT No.: SHEET: 1 OF 1

APPROVED BY: Stephen Powell CARDINIA SHIRE COUNCIL

DATE: Tuesday, 10 January 2017

SURVEY REF: 18545

DATE: 27/10/2016

KENIL WORTH GARDENIA - STAGE 4

(PS 749592 T / S2)

Lots 37 to 43 (Inclusive) AVENUE 37 38 392m² 388m² 39 40 336m²/ 398m² 41 201.58 42 336m² ¹ 336m²/ 43 402m² ROAD 375m SIS 28 2 STA 336m² GARDENIA - STA (PS 749592 T Lots 1 to 36 (Inclusive) 12.50 36 413m² 35 341m²/ $\frac{34}{334m^2} \frac{33}{327m^2}$ 3 BRUNT 350m² 32 382m² 28 9.59 10.50 10.50 DRIV 336m² ≈ GARDENIA 5 350m² DRIVE 28 29 345m² 6 13.71 336m 30 438m² 28 28 31 350m² 350m² 28 8 27^{28} 2 336m 350m² 14.59 9 26 28 350m² 336m² 10 25 22 484m² 336m² 696m² 336m[°] 17 0.80 28 RESERVE No. 1 Sub-station) 350m² .6.4m 388m² 382m² ROAD <u>25.17</u> 329m² E-113 472m² 20 538m 3 15 16 17 697m² 18 425m² 8/ ' 360m² *i* TELECOMMUNICATIONS OPTICAL FIBRE 342m1 453m² 360m² CONDUITS AND ACCESS CROSSOVERS 15.11 AND CAR SPACES ARE SHOWN THUS 22.98 278°56′10′ LOT FRONTAGE LOT SIZE RANGE (m² <u> 14.06</u> 300 - 350 TELECOMMUNICATIONS CONDUIT

NUMBER OF LOTS 22 LOTS 351 - 400 11 LOTS 401 - 450 4 LOTS 451 - 500 3 LOTS 500 + 3 LOTS TOTAL 43 LOTS

Total Area : 2.181ha No. of Lots : 43 Lots per Hectare : 19.72 Total Area Roads : 5114m²

EASEMENT	PURPOSE	WIDTH (metres)	ORIGIN	LAND BENEFITED / IN FAVOUR OF
E-1	DRAINAGE	2.5	THIS PLAN	CARDINIA SHIRE COUNCIL
				& LOTS ON THIS PLAN
E-2	SEWERAGE	3	THIS PLAN	SOUTH EAST WATER CORPORATION
				& LOTS ON THIS PLAN
	DRAINAGE	3	THIS PLAN	CARDINIA SHIRE COUNCIL
				& LOTS ON THIS PLAN
E-3	SEWERAGE	2.5	THIS PLAN	SOUTH EAST WATER CORPORATION
				& LOTS ON THIS PLAN

COMPUTER REF : 854578

F00TPATH

KERB and CHANNEL

RODNEY AUJARD & ASSOCIATES LICENSED LAND SURVEYORS

) CONCRETE CROSSING

CAR SPACE

Level 1, 325 Camberwell Road, Camberwell. 3124 ph: 9813 2222 fax: 9813 2244 EMAIL: aujard@bigpond.net.au